Atty. Dkt. No. 030523-0185 IITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

William H. Velander, et al.

Title:

EXPRESSION OF ACTIVE HUMAN FACTOR IX IN MAMMARY TISSUE OF

TRANSGENIC ANIMALS

Appl. No.:

10/062,447

Filing Date:

02/05/2002

Examiner:

Unassigned

Art Unit:

1632

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language translation of the foreignlanguage document is not readily available. The absence of a translation or an Englishlanguage counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Stephen A. Bent Keg. No.

Attorney for Applicants Registration No. 29,768

FOLEY & LARDNER

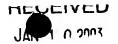
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Examiner Initials*	Cite No. ¹	Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
	A1	5,171,569		ANSON ET AL.	12/15/1992	
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	A3	UK	2 125 409	Α	NATIONAL RESEARCH DEVELOPMENT CORPORATION	03/07/1984		
	A4	EP	0 451 823	A2	CONSORTIUM FÜR ELEKTROCHEMISCHE INDUSTRIE GMBH	10/16/1991	RECEIVED	
	A5	WO	95/30000	A1	BIOTECHNOLOGY AND BIOLOGICAL SCIENCES RESEARCH COUNCIL	11/09/1995	JAN 1 n onng	
							TC 1700	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ ⁶			
	A6	YULL ET AL., "Fixing human factor IX (fIX): Correction of a cryptic RNA splice enables the production of biologically active fIX in the mammary gland of transgenic mice," <i>Proc. Natl. Acad. Sci.</i> (1995), Vol. 92, pp. 10899-10903, XP-002207339, ISSN: 0027-8424.				
	A7	MORCOL ET AL., "The Porcine Mammary Gland as a Bioreactor for Complex Proteins," Annals of the New York Academy of Sciences (1994), Vol. 721, pp. 218-233, XP-001094224, ISBN: 0-89766-822-7.				
	A8	WRIGHT ET AL., "High Level Expression of Active Human Alpha-1-Antitrypsin in the Milk of Transgenic Sheep," <i>Bio/Technology</i> (1991), Vol. 9, pp. 830-834, XP00202118, ISSN: 0733-222X.				
	A9	CLARK ET AL., "Expression of Human Anti-Hemophilic Factor IX in the Milk of Transgenic Sheep," Bio/Technology (1989), vol. 7, No. 5, pp. 487-492, XP000026727, ISSN: 0733-222X.				
	A10	WALL, "Transgenic Livestock: Progress and Prospects for the Future," <i>Theriogenology</i> (1996), Vol. 45, pp. 57-68, XP002917341, ISSN: 0093-691X.				
	A11	MASSOUD ET AL., "The deleterious effects of human erythropoietin gene driven by the rabbit whey acidic protein gene promotor in transgenic rabbits," <i>Reprod. Nutr. Dev.</i> (1996), Vol. 36, pp. 555-563, XP001084633.				

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Examiner	Date	
Signature	Considered	

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